

REMARKS

This is in response to the Office Action mailed on February 10, 2004. Applicants would like to thank the Examiner for indicating that claim 4 includes allowable subject matter. In this response, claim 1 has been amended and new claim 5 has been added. The amendment to claim 1 is supported at page 5, lines 7-10; page 6, lines 7-13; and Figures 1 and 2. New claim 5 is essentially original claim 1 with some editorial amendments and the addition of a structural limitation with respect to the shield and the annular housing. The structural limitations are supported at page 5, lines 1-7 and page 6, lines 7-13. Accordingly, the amendments and new claim add no new matter. Reconsideration and allowance are respectfully requested in view of the following remarks.

Claims 1-3 were rejected under 35 U.S.C. 103(a) as being obvious over Varvello et al. (U.S. Pat. No. 5,004,358) in view of EP 0447641. This rejection is traversed. Nonetheless, claim 1 has been amended to advance this application.

Claim 1 recites a sealing device for a rolling contact bearing that includes, among other things, two inserts, a phonic wheel which is supported by the more external of the two inserts, wherein the more external of the two inserts comprises an annular housing for supporting and at least partially containing the phonic wheel, the annular housing axially opening towards an outside of the bearing and including a shield arranged in such a way as to completely seal the phonic wheel and the housing. Neither reference discloses or suggests such a sealing device.

In addition to failing to disclose a shield, which is not disputed in the outstanding Office Action, Varvello et al. also fail to disclose or suggest a device wherein the external most inserts comprises an annular housing that supports and at least partially contains a phonic wheel. Instead, in the embodiment referenced in the Office Action, Varvello et al. disclose an internal insert 13 that supports the phonic wheel 12. See Varvello et al. at Figure 1. Moreover, in other embodiments disclosed in Varvello et al. where the external inserts are shown to support the phonic wheel, Varvello et al. teach that the external inserts do not contain the phonic wheel. See Varvello et al. at Figures 2, 3, and 5. Accordingly, claim 1 is not obvious in view of Varvello et al.

EP 0447641 does not cure the deficiencies of Varvello et al. In particular, it does not disclose or suggest a shield that completely seals the phonic wheel in the housing wherein the

housing is annular and is a part of an insert coupled to a race as claimed. In addition, it does not disclose or suggest an external insert that supports and at least partially encloses a phonic wheel. Rather, EP 0447641 discloses a lid 26 that is adapted to cover the end of a tag 18. It includes no disclosure or suggestion with respect to a shield as recited in claim 1. Accordingly, claim 1 is not obvious over Varvello et al. in view of EP 0447641. Claims 2 and 3 depend on and further limit claim 1, therefore, for at least the same reasons they are also not obvious over Varvello et al. in view of EP 0447641.


New claim 5 recites a sealing device for a rolling contact bearing that includes the limitation of original claim 1 as well as reciting that the annular housing includes two sidewalls that are orientated at oppose side edges of a phonic wheel. In addition, claim 5 recites that the shield spans the sidewalls and completely seals a phonic wheel in the housing. Such structure is clearly neither disclosed nor suggested in either Varvello et al. or EP 0447641. Accordingly, claim 5 is not obvious over Varvello et al. in view of EPO 0447641.

In view of the above amendments and remarks, claims 1-5 are in condition for allowance. Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. The Examiner is encouraged to contact the undersigned attorney with any questions regarding the application.

Respectfully submitted,

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Date: May 20, 2004



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